

Notice of Allowability

Application No.

09/872,423

Examiner

John B. Strege

Applicant(s)

UDUPA ET AL

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment received 10/7/05.
2. ☒ The allowed claim(s) is/are 1,3,6-41,43 and 45,47-52.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☒ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mohammad S. Rahman Reg.# 43,029 on 11/30/05.

Please Amend the application as follows,

IN THE CLAIMS:

In **Claim 1** delete the word "and" on line 7, and insert on line 9 following the word "analysis," --and selecting identified subsets of the enrollee minutiae and identified subsets of the claimant minutiae;--.

Cancel **Claim 2**.

In **Claim 3** on line 1 replace "claim 2," with --claim 1,--.

In **Claim 6** on line 1 replace ""claim2," with --claim 1,--.

In **Claim 11** on line 1 replace ""claim2," with --claim 1,--.

In **Claim 18** on line 1 replace ""claim2," with --claim 1,--.

In **Claim 33** on line 1 replace ""claim2," with --claim 1,--.

In **Claim 40** delete "10" on line 7.

In **Claim 41** insert at the beginning of line 9 before the word "means" --and means for selecting identified subsets of the enrollee minutiae and identified subsets of the claimant minutiae;--.

Cancel **Claim 42**.

In **Claim 43** insert at the beginning of line 7 before the word "analyzing" -- selecting identified subsets of the enrollee minutiae and identified subsets of the claimant minutiae;--.

Cancel **Claim 44**.

In **Claim 45** on line 1 replace "claim 44," with --claim 43,--.

Cancel **Claim 46**.

In **Claim 47** on line 1 replace "claim 44," with --claim 43,--.

In **Claim 48** on line 1 replace "claim 44," with --claim 43,--.

In **Claim 49** on line 1 replace "claim 44," with --claim 43,--.

In **Claim 52** on line 1 replace "claim 44," with --claim 43,--.

These amendments were made in order to give antecedent basis to the claims as well as to correct the dependency from the canceled claims.

Response to Amendment

The amendment received 10/7/05 has been entered in full.

Allowable Subject Matter

1. Claims 1,3,6-41,43,45,47-52 are allowed.
2. The following is an examiner's statement of reasons for allowance: Limitations from certain dependent claims were indicated as allowable in the previous office action, and these claims have been rewritten in independent form to encompass all of the allowable subject matter. Thus the reasons for allowance were given in the previous office action.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. USPN 6,546,122 discloses a method of putting a box of predetermined length around the minutia neighborhood.

Contact Information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to John B. Strege whose telephone number is (571) 272-7457. The examiner can normally be reached on Monday-Friday between the hours of 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on (571) 272-7453. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JS



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